Docket No. 4586-4004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Richard Kitney & Patrick Gross

> Group Art Unit: **TBA**

Serial No .:

**TBA** 

Examiner:

**TBA** 

Filed:

October 22, 2004

For:

DISPOSABLE CONTAINER FOR USE WITH AN OPEN MAGNETIC

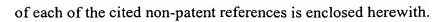
**RESONANCE SCANNER** 

## **INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313 Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 İS

and	l 1.98.	The items listed on Form PTO-1449, a copy of which is enclosed, are made of record
to a	assist tl	he Patent and Trademark Office in its examination of this application. The Examiner i
res	pectful	ly requested to fully consider the items and to independently ascertain their teaching.
1.		For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
		JP 2000-28696 with English abstract
		JP 1-132944 with English abstract
		JP 63-142248 with English abstract
		JP 57-173754 with English abstract
		JP 61196145 with English abstract
2.		For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3.		Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in various parent applications. A copy



4.	$\boxtimes$	No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:							
			37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or						
		$\boxtimes$	37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or						
			37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or						
			37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.						
5.		since in par Allow	e is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified agraph 4 above but before the mailing date of a final action or a Notice of vance (where there has been no prior final action), and is accompanied by one of extifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.						
5.		it is be	is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since eing filed in compliance with 37 C.F.R. §1.97(c), after the period specified in raph 4 above but before the mailing date of a final action or a notice of ance (where there has been no prior final action):						
			A check in the amount of \$180.00 is enclosed in payment of the fee.						
			Charge the fee to Deposit Account No. <u>13-4500</u> , Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.						
7.		it is be	is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since eing filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final or a notice of allowance, whichever comes first, but before payment of the issue and is accompanied by:						
			ne of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 elow; and						
		_	ne fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11						

8.	A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
	a. 37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);
	b. 37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).
	c. The fees due under 37 C.F.R. §§1.17(h) and 1.17(p) are paid as set forth in paragraph 11 below.
9.	I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
	I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10.	This document is accompanied by $\boxtimes$ a Search Report $\square$ Communication which was cited in a corresponding $\boxtimes$ PCT or $\square$ Foreign counterpart application
11.	A check in the amount of \$ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).
	Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No A DUPLICATE COPY OF THIS SHEET IS

The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. <u>13-4500</u>, Order No. <u>4586-4004</u>. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN & KINNEGAN, L.L.P.

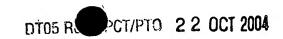
Dated: October 22, 2004

By:

Walter G. Hanchuk Registration No. 35,179

Correspondence Address:

MORGAN & FINNEGAN, L.L.P. 3 World Financial Center New York, NY 10281 212-415-8700 telephone 212-415-8701 fax



FORM PTO-1449 INFORMATION DISCLOSURE CITATION				Attorney Docket: 4586-4004 Applicant: Richard Kitney and Patrick Gross Filing Date: October 22, 2004		Serial No. 10/512404 TBA  Group Art Unit: TBA			
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Initial	Patent Number   Issue Da		te	e Name		Class	Class	Filing Date	
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	5,760,586	6/1998		Foerster et al.					
	4,184,110	1/1980		Hinshaw					
	3,725,776	4/1973		Petrinovic					
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Initial	Patent Number	Date		Country		Class	Class	Translation	
	EP 0376057	7/1990		EPO				☐ Yes ☐ No	
	2000-28696	1/2000		Japan/with English abstract				☐ Yes ☐ No	
	1-132944	5/1989	÷	Japan/with English abstract				☐ Yes ☐ No	
	63-142248	6/1988		Japan/with English abstract				☐ Yes ☐ No	
	57-173754	10/1982		Japan/with English abstract				☐ Yes ☐ No	
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	Tissue eccen Ext	acts Miles ,		2010 01 41., pp 1771 1773					
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FORM PTO-1449 INFORMATION DISCLOSURE CITATION				Attorney Docket: State of the S			Serial No 10/512404			
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Examiner Initial	-	Patent Number	Issue Da	te	Name		Class	Class	Filing Date	
	•	5,550,471	8/1996		Feld					
		5,245,288	9/1993		leussler			_		
		4,875,485	10/1989		Matsutani					
	• •		FORE	IGN:	PATENT DOCUMENTS		A STATE OF THE STA			
Examiner Initial		Patent Number	Publicati Date	on	Country		Class	Sub- Class	Translation	
_		EP 0346049			EPO				☐ Yes ☐ No	
		EP 0468857			ЕРО				☐ Yes ☐ No	
		EP 0750188			ЕРО				☐ Yes ☐ No	
		JP 61196145			Japan/abstract only				☐ Yes ☐ No	
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